



Our Case: 10799ROUS01U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: ROBERTS, Kim B. et al.

Serial No: 09/438,516 Examiner:

Filed: November 12, 1999 Group Art Unit: 2739

Subject DETECTION OF PRECIOUS SECTION FAIL FOR A
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INFORMATION DISCLOSURE STATEMENT

In accordance with the duty under 37 CFR § 1.56 of each individual associated with the filing and prosecution of the above-identified patent application (hereinafter, "associated individuals") to disclose all information known to that individual to be material to patentability, Applicant(s) hereby submits attached Form PTO-1449 (modified) listing cited references located by the International Searching Authority. This submission is made in accordance with 37 CFR §§ 1.97 and 1.98 and § 609 of the Manual of Patent Examining Procedure. A copy of the International Search Report is also enclosed.

The cited references, while believed to be of some relevance, are not necessarily considered to teach or suggest any aspect of the invention described and claimed in the above-identified patent application. Applicant(s) hereby expressly reserves the right to swear behind the effective dates of any of the cited references. Applicant(s) further reserves the right to question the relevance, materiality, and/or prior art status of any of the cited references in whole, in part, or in combination, subsequent to the filing of this information disclosure statement. This information disclosure statement is also not to be construed as a representation that a search has, or has not, been conducted or that no better art exists.

The Examiner is respectfully requested to consider each of the cited references, to indicate such consideration by initialing in the space provided next to

each cited references on the enclosed Form PTO-1449 (modified), to sign the initiated Form PTO-1449 (modified), and to return a copy of the same with the next communication to the Applicant(s).

For the convenience of the Examiner in considering the cited references, a copy each of the cited references is enclosed with this communication. In considering the cited references, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of the cited references. Any such markings were either present on the copies of the cited references obtained by the associated individuals, or were made thereon during the study of the references by the associated individuals.

In accordance with 37 CFR § 1.97(b), this information disclosure statement is being filed (i) within three months of the filing date of the above-identified patent application; (ii) within three months of the date upon which the above-identified patent application entered the national stage as set forth in 37 CFR § 1.491; or (iii) before the mailing date of a first Office Action on the merit for the above-identified patent application. Accordingly, no statement or fee is required.

Yours very truly,
ROBERTS, Kim B. et al.

By:



Jeff Measures, Patent Agent
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JM/dl
Encl.

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